

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MENARD INC., a Wisconsin
corporation,

Plaintiff,

vs.

DIAL-COLUMBUS, LLC a/k/a DIAL
COLUMBUS LLC, a Nebraska
limited liability company; DKC-
COLUMBUS, LLC, a Nebraska
limited liability company; and TERRY
L. CLAUFF, a Nebraska resident,

Defendants.

4:12-CV-3077

ORDER

This matter is before the Court on its own motion. On July 6, 2012, the Court entered a Memorandum and Order (filing [20](#)) granting the motion of defendants Dial-Columbus, LLC and Terry L. Clauff (filing [14](#)) to set aside a clerk's entry of default (filing [12](#)). However, the motion to set aside the clerk's entry of default was filed only by Dial-Columbus and Clauff, and the Court's order was not clear about its effect on the remaining defendant, DKC-Columbus, LLC.

Dial-Columbus and Clauff have since filed a timely answer (filing [21](#)). But DKC-Columbus, despite being properly served, see filing [7](#), has neither made an appearance in this case, nor filed an answer. And obviously, DKC-Columbus did not seek relief from the clerk's entry of default. Therefore, the clerk's entry of default should stand as to defendant DKC-Columbus, and the Court's order of July 6 will be amended to clearly reflect that finding.

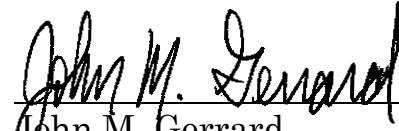
IT IS ORDERED:

1. The Court's order of July 6, 2012 (filing [20](#)) is amended to reflect that the Clerk's Entry of Default (filing [12](#)) was set aside only as to defendants Dial-Columbus, LLC and Terry L. Clauff.

2. The Clerk's Entry of Default (filing [12](#)) stands as to defendant DKC-Columbus, LLC.

Dated this 31st day of July, 2012.

BY THE COURT:



John M. Gerrard
United States District Judge